

STATE OF NEW HAMPSHIRE
INTRA-DEPARTMENT COMMUNICATION

FROM

KTN
Kevin T. Nyhan
Administrator

DATE

April 29, 2016

AT (OFFICE)

Bureau of Environment

SUBJECT

Wetland Bureau Permit # 2016-00298
Marlborough, 40516

TO

Steve Johnson, Bureau of Bridge Maintenance

Forwarded herewith, for your files and further use as appropriate, is a copy of the subject permit as approved by the Wetlands Bureau and the Water Division on April 27, 2016.

Please note specific conditions on permit.

TERRAIN ALTERATION

Note that the non-site specific permit (RSA 485-A: 17 "Terrain Alteration") is part of this Wetlands Bureau Permit.

WATER QUALITY CERTIFICATION

- ☒ This permit covers the project's consideration for Water Quality protection and no further action is required by this office.
- ☐ This permit does not cover the Water Quality protection for this project. However, a Water Quality Permit will be obtained for this project.

CORPS PERMIT STATUS

- ☐ No Corps Jurisdiction
- ☐ SPGP (Minimum Impact) - No waiting period; no Corps approval required
- ☐ SPGP (Minor Impact)-Wait 30 days from NHWB issuance date; no written approval from Corps required
- ☒ SPGP (Major Impact)-Wait 30 days from NHWB issuance date; written approval from Corps required
- ☐ Emergency - No waiting period; No written approval from Corps required
- ☐ Amendment - No waiting period; No written approval from Corps required
- ☐ Corps Individual Permit Required

COASTAL ZONE MANAGEMENT (CZM) STATUS

- ☒ Outside of Coastal Zone-consistency finding not necessary from OSP
- ☐ Within Coastal Zone (Non-Federal Action)-consistency finding not necessary from OSP
- ☐ Within Coastal Zone (Federal Action)-if covered by SPGP, or no Corps' jurisdiction, consistency finding is automatic from OSP
- ☐ Within Coastal Zone (Federal Action)-if individual Corps permit, written consistency finding is necessary from OSP

EROSION CONTROL PLAN STATUS

- ☐ Erosion Control Plan Required; Submit Erosion Control Plan to DES Wetlands Bureau

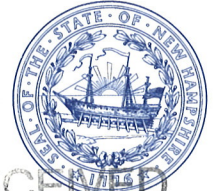
If you have any questions, please call 271-3226.

KTN:ktn
Encl.
Anthony Weatherbee



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

Thomas S. Burack, Commissioner



RECEIVED
BUREAU OF ENVIRONMENT

WETLANDS AND NON-SITE SPECIFIC PERMIT 2016-00298

APR 28 2016

NH DEPARTMENT OF
TRANSPORTATION

**NOTE--
CONDITIONS**

Permittee: NH Dept. of Transportation
PO Box 483
Concord, NH 03302-0483
Project Location: NH Route 101, Marlborough
Marlborough Tax Map/Lot No. ROW / ROW
Waterbody: Robbins Brook

APPROVAL DATE: 04/27/2016

EXPIRATION DATE: 04/27/2021

Based upon review of the above referenced application, in accordance with RSA 482-A and RSA 485-A:17, a Wetlands Permit and Non-Site Specific Permit was issued. This permit shall not be considered valid unless signed as specified below.

PERMIT DESCRIPTION: Install scaffolding to rehabilitate and widen the deck of the 14 ft. span bridge over the existing wings and replace the curbs temporarily impacting 1,662 sq. ft. of riverine and palustrine wetlands. NHDOT project 40516

THIS APPROVAL IS SUBJECT TO THE FOLLOWING PROJECT SPECIFIC CONDITIONS:

1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Maintenance dated January 14, 2016, as received by the NH Department of Environmental Services (DES) on February 2, 2016.
2. If any work associated with the project authorized by this permit will encroach on an abutter's property, then prior to starting work the permittee shall (1) obtain temporary construction easements or other written agreements from the owner of the abutting property, and (2) submit a copy of each agreement to the DES Wetlands Program.
3. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
4. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the DES Wetlands Program and the local conservation commission in writing of the date on which work under this permit is expected to start.
5. Work shall be done during low flow.
6. Scaffolding installations shall consider the potential for ice floes at the location and shall monitor the weather and remove the scaffolding prior to ice forming on the flowing stream.
7. There shall be no tree removal from within riparian areas. Extreme precautions shall be taken to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
8. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain in place until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain in place until suspended particles have settled and water at the work site has returned to normal clarity.
10. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
11. Only the placement of the scaffolding shall be within the water.
12. No dredge shall be done or fill introduced for installation of the scaffolding.
13. The total square feet of impact associated with each support shall not exceed 6 sq. ft.

DES Web site: www.des.nh.gov

P.O. Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095

Telephone: (603) 271-3501 • Fax: (603) 271-6683 • TDD Access: Relay NH 1-800-735-2964

14. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Erosion control products shall be installed per manufacturers recommended specifications.
16. No machinery shall enter the water.
17. No excavation shall be done in flowing water. No construction equipment shall be operated in flowing water.
18. All by products of the work shall be properly collected and disposed of outside of wetland jurisdiction.
19. Precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance or invasive species such as Purple Loosestrife, Knotweed, or Phragmites. The contractor responsible for work shall appropriately address invasive species in accordance with the NHDOT Best Management Practices for Roadside Invasive Plants (2008).
20. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers, netting and pinning. Matting shall be used on all slopes greater than 3:1 in all instances.
21. Areas from which vegetation has been cleared to gain access to the site shall be replanted with similar native species.
22. Siltation and Erosion Controls must be removed once the area is stabilized.
23. As built sketch showing the size of the structures to be submitted to the file within 30 days of completion.

GENERAL CONDITIONS THAT APPLY TO ALL DES WETLANDS PERMITS:

1. A copy of this permit shall be posted on site during construction in a prominent location visible to inspecting personnel;
2. This permit does not convey a property right, nor authorize any injury to property of others, nor invasion of rights of others;
3. The Wetlands Bureau shall be notified upon completion of work;
4. This permit does not relieve the applicant from the obligation to obtain other local, state or federal permits, and/or consult with other agencies as may be required (including US EPA, US Army Corps of Engineers, NH Department of Transportation, NH Division of Historical Resources (NH Department of Cultural Resources), NHDES-Alteration of Terrain, etc.);
5. Transfer of this permit to a new owner shall require notification to and approval by DES;
6. This project has been screened for potential impacts to **known** occurrences of rare species and exemplary natural communities in the immediate area. Since many areas have never been surveyed, or have received only cursory inventories, unidentified sensitive species or communities may be present. This permit does not absolve the permittee from due diligence in regard to state, local or federal laws regarding such communities or species.
7. Review enclosed sheet for status of the US Army Corps of Engineers' federal wetlands permit.

APPROVED: _____

Jocelyn Degler
DES Wetlands Bureau

BY SIGNING BELOW I HEREBY CERTIFY THAT I HAVE FULLY READ THIS PERMIT AND AGREE TO ABIDE BY ALL PERMIT CONDITIONS.

Shut w. John
OWNER'S SIGNATURE (required)

CONTRACTOR'S SIGNATURE (required)



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

Thomas S. Burack, Commissioner



April 27, 2016

Matt Urban
NH Dept. of Transportation
PO Box 483
Concord, NH 03302-0483

RECEIVED
BUREAU OF ENVIRONMENT

APR 28 2016

RE: NH Dept. of Transportation - File # 2016-00298 - Marlborough

NH DEPARTMENT OF
TRANSPORTATION

Tax Map/Lot # ROW / ROW

Dear Mr. Urban:

Attached please find Wetlands Permit # 2016-00298 to Install scaffolding to rehabilitate and widen the deck of the 14 ft. span bridge over the existing wings and replace the curbs temporarily impacting 1,662 sq. ft. of riverine and palustrine wetlands. NHDOT project 40516

The decision to approve this application was based on the following findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(p), a replacement of a stream crossing structure in a tier 3 stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. Compensatory Mitigation is not required in accordance with Env-Wt 302.03(c)(2)c.
6. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

Any person aggrieved by this decision may appeal to the N.H. Wetlands Council ("Council") by filing an appeal that meets the requirements specified in RSA 482-A:10, RSA 21-O:14, and the rules adopted by the Council, Env-WtC 100-200. The appeal must be filed **directly with the Council within 30 days** of the date of this decision and must set forth fully **every ground** upon which it is claimed that the decision complained of is unlawful or unreasonable. Only those grounds set forth in the notice of appeal can be considered by the Council.

DES Web site: www.des.nh.gov

P.O. Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095

Telephone: (603) 271-3501 • Fax: (603) 271-6683 • TDD Access: Relay NH 1-800-735-2964

NH Dept. of Transportation - File # 2016-00298 – Marlborough

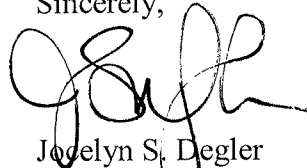
Page 2

Information about the Council, including a link to the Council's rules, is available at <http://nhec.nh.gov/> (or more directly at <http://nhec.nh.gov/wetlands/index.htm>.) Copies of the rules also are available from the DES Public Information Center at (603) 271-2975.

Your permit must be signed, and a copy must be posted in a prominent location on site during construction.

If you have any questions, please contact our office at (603) 271-2147.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Degler', written over the printed name.

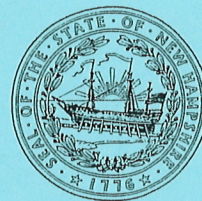
Jocelyn S. Degler
Public Highway Specialist
DES Wetlands Bureau

cc: Marlborough Conservation Commission
Marlborough Municipal Clerk
Steve Johnson, NH DOT, Bureau of Bridge Maintenance



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

Thomas S. Burack, Commissioner



NOTICE TO RECIPIENTS OF MAJOR IMPACT N.H. WETLANDS PERMITS

Your permit was approved by the New Hampshire Wetlands Bureau as a major impact project, and your project will be reviewed by the U.S. Army Corps. Of Engineers for possible approval under the Army Corps. New Hampshire State Programmatic General Permit- SPGP. The Army Corps. will notify you within thirty (30) days as to whether you qualify.

*****NO WORK SHOULD BE DONE IN*****
*****WETLANDS UNTIL YOU RECEIVE THAT NOTICE*****

IF YOU DO NOT HEAR FROM THE ARMY CORPS WITHIN THIRTY (30) DAYS,
YOU SHOULD CALL THEM AT 1-800-343-4789.

U.S. ARMY CORPS. OF ENGINEERS